



## Office of the Mayor

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April 13, 2005

Attorney John D. Heffner  
Attorney for Wisconsin & Southern Railroad Co.  
1920 N Street, N.W., Suite 800  
Washington, D.C. 20036

RE: STB Docket No. AB-383 Sub-No. 4X, Wisconsin & Southern Railroad Co.,  
Discontinuance of Service Exemption

STB Docket No. AB-33 Sub-No. 251X, Union Pacific Railroad Company,  
Abandonment Exemption

Dear Mr. Heffner:

This letter is in response to your letter dated March 18, 2005, notifying the City of Madison, Wisconsin of the Applicants' proposal to abandon a rail line known as the Central Soya Line, Harvard Subdivision, between MP 85.5 Beltline in the town (now City) of Madison, WI and end of track at MP 89.9 in the town (now City) of Fitchburg, WI, a distance of 4.4 miles in Dane County, WI. The Environmental and Historic Report ("EHR") to be filed with the Surface Transportation Board in connection with the proposed abandonment is to address issues pertaining to local land use plans and whether the abandoned right-of-way is suitable for alternative public use – items (3)(i) and (iv) of the draft EHR. The following statement addresses those two issues:

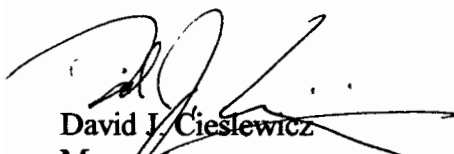
The City of Madison does not oppose the abandonment of the subject corridor for freight rail, or removal of the existing track, provided this does not result in loss of the corridor's integrity for public transportation or multi-use path purposes, or the destruction of the drainage facilities that are currently in place. The City is opposed to any action by the Surface Transportation Board that would endanger the continued viability of the Union Pacific Railroad corridor for public transportation and parkway purposes. The entire 3.5 mile long railroad corridor from County Highway PD (McKee Road) to USH 12/18 (Beltline Highway) is designated on the City of Madison's Official Map as "Reserved for Future Streets, Highways and Parkways". Madison's Official Map Ordinance, Sec. 16.24, Madison General Ordinances, is adopted pursuant to the enabling authority of Sec. 63.23(6), Wisconsin Statutes.

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The City of Madison believes that the subject rail corridor has important potential to accommodate a multi-use public path serving non-motorized transportation and recreation purposes. The Bicycle Transportation Plan for the Madison Urban Area and Dane County, prepared in 2000 shows this corridor as a "Special Transportation Corridor" for potential off-street bicycle facilities as well as rail and other public transportation uses. The Dane County Land Use and Transportation Plan, prepared in 1997, also delineates this segment as part of a "Special Transportation Corridor." The City has also prepared a Draft Allied-Dunn's Marsh-Belmar Neighborhoods Physical Improvements Plan that shows this corridor as a potential location for a public bike path. In the long term, it may also have potential for passenger rail or other modes of public transportation along with the multi-use path. If abandonment were to result in reversion or sale of the corridor to adjacent private property owners, the City believes this action would not serve the public interest. The State of Wisconsin's Right of First Refusal to acquire the corridor following abandonment is limited to 33 feet on either side of the track. This width may not be sufficient to accommodate the long-term public transportation purposes for this corridor, and the full 100-foot width should be preserved.

The City of Madison is in support of efforts by the Wisconsin Department of Natural Resources to acquire the abandoned rail corridor for public trail purposes, or to acquire use of the corridor under a "Rails to Trails" agreement.

Sincerely,



David J. Cieslewicz  
Mayor

DJC:jmv

cc: Michael P. May, City Attorney  
Larry D. Nelson, City Engineer  
Bradley J. Murphy, City Planning Unit Director  
Dana White-Quam, WDNR Regional Park Specialist